

## EXHIBIT 1

**Hanna R. Kolberg**

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**From:** Ben Hitchcock Cross <bchc@Crosslawfirm.com>  
**Sent:** Friday, November 29, 2024 4:39 PM  
**To:** Jennifer A. Picciolo  
**Cc:** Hanna R. Kolberg; Michael R. Sherer; Laurie McLeRoy  
**Subject:** [EXTERNAL] RE: Kuether v. Posley; 23-cv-948

Laurie,

I am not sure what to make of this. When I asked you to put your thoughts in writing, I expected that it would help clarify the issues, but if anything, I am more mystified. From what I understand this proposed motion is premised on the assumption that Jaqueline Mann is no longer a defendant in this case. While we disagree with the assertion as a legal matter, we also disagree as to facts.

To make sure we are operating in the same universe can you confirm that when you search this case in PACER, Dr. Mann is listed as a party represented by Von Briesen.

Here is what I get when I ran a docket search just now:

**Defendant**

**Jacqueline Mann**

represented by **Laurie J McLeRoy**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Michael R Sherer**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

If I am to understand that you no longer represent Dr. Mann, please confirm. If not, please explain why you are sending to me sanctions motions premised on the assumption that she is not.

One reason that she is still a defendant is that she directly violated Dr. Kuether's free speech and other rights but let's focus on whether she is a party before we get to the claims.

Yours,  
Ben Hitchcock Cross

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**From:** Jennifer A. Picciolo <jennifer.picciolo@vonbriesen.com>  
**Sent:** Wednesday, November 27, 2024 1:34 PM  
**To:** Ben Hitchcock Cross <bchc@Crosslawfirm.com>  
**Cc:** Hanna R. Kolberg <hanna.kolberg@vonbriesen.com>; Michael R. Sherer <michael.sherer@vonbriesen.com>; Laurie McLeRoy <laurie.mcleroy@vonbriesen.com>  
**Subject:** Kuether v. Posley; 23-cv-948

Attorney Hitchcock Cross,

On behalf of Attorney Kolberg, attached is correspondence that was inadvertently omitted from my earlier email.

**Jennifer A. Picciolo | Legal Administrative Assistant**

**von Briesen & Roper, s.c.**

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